



UNITED STATES PATENT AND TRADEMARK OFFICE

1/12
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,703	06/28/2001	Hiroshi Ohmura	740819-0574	4228
22204	7590	06/03/2005	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			JAROENCHONWANIT, BUNJOB	
ART UNIT		PAPER NUMBER		2143

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/892,703	OHMURA ET AL.	
	Examiner	Art Unit	
	Bunjob Jaroenchonwanit	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 2/14/05.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-6 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-6 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

1. This Office Action responds to the amendment filed 02/14/05. Claims 1-6 are amended and pending for examination, claim 7 is canceled. Claim 1-6 are pending for examination.
2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection. Although in the remark applicant argued that Gotou, Aratow and Phelen do not suggest the claims as amended, but examiner do not agree with applicant argument. Examiner contends that the previous applied arts clearly have *prima facie* case of obviousness. However, in light of newfound art, the new rejection, which is necessitated by the amendment, is established. The rejection cited are as stated below.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being unpatentable over Fujiwara et al (US. 2004/0012506), "Fujiwara," hereinafter.
5. Regarding claim 3, Fujiwara discloses a server linked to an in-vehicle unit and a computer via a network, the in-vehicle unit being mounted in a vehicle and containing map data, the computer being installed at a specific location other than the vehicle and containing map, data (fig. 1),

Wherein the server comprises pieces of map selection data each of which specifies a map to be selected, (e.g., map selection command) and pieces of coordination data each of which specifies a point where additional information is to be presented on the selected map, and the sever is configured to transmit the pieces of map selection data and the pieces of coordinate data

Art Unit: 2143

to the in-vehicle unit (fig 16 illustrates map selection data and coordinate transmitted to in-vehicle unit (See also paragraphs 2, 6, 8, 9, 11).

The claims' language, such as, a computer being installed other than in-vehicle merely set up environment is not limitation, therefore, has no patentable weight. The "or" terminology in the claim intended for broadening the claim also provided alternative limitations, thus only in-vehicle unit or computer in other location is required to satisfy the claim language.

6. Regarding claim 1, recited the limitations that are akin to the limitations in claim 3, in alternative language, and required the in-vehicle unit to select map based on the map selection data, which is taught by Fujiwara (see fig.14). Claim is rejected by the rationale set forth in claim 3 and the aforesaid.

7. As to claim 2, in addition to the above rejection, claim 2 required data is in HTML, Fujiwara teaches the same (see fig. 14).

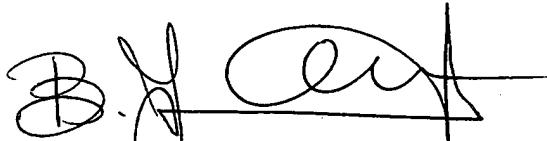
8. Regarding claims 4-6, recited the in-vehicle unit having limitations corresponding to the above-mentioned. Despite the fact that the claims recites a term "plug-in", but it does not distinguish over Fujiwara, because "plug-in" is a known and arbitrary used in place of modular software, which is required in HTML, JAVA or any other Markup language, to make a portable and compact software. Thus, omission of defining plug-in structure, the limitations read on any modular software, including the using of HTML file, as suggested in Fujiwara.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

Art Unit: 2143

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj
5/27/05